

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

VAGISH LLC d/b/a CAMBRIDGE	)	
PLAZA HOTEL; and VA VA VAGISH	)	
LLC d/b/a LEGENDS LOUNGE,	)	
Plaintiffs,	)	
v.	)	Civil Action No: 3:13-cv-03161-TLW
SENECA SPECIALITY INSURANCE	)	
COMPANY,	)	
Defendant.	)	DEFENDANT SENECA SPECIALITY
	)	INSURANCE COMPANY'S AMENDED
	)	RULE 26(a)(3) PRETRIAL DISCLOSURES

Defendant Seneca Specialty Insurance Company ("Seneca") hereby submits its Pretrial Disclosures as follows:

**1. The name of each witness Seneca expects to present and those whom Seneca may call at trial:**

**Expects to Present**

1. Van Tuley
2. John Schneider
3. Gene Poole
4. Richard Mastrocinque
5. Peter Hildebrand
6. David Icové
7. Kislaya Sinha

**May Call**

1. Suzanne Pucci
2. Lawrence Daniel
3. Steve Ouzts
4. Stan Townsend
5. Bryant McGowan
6. John Robison
7. Stephen Sollecito
8. Greg Crapanzano
9. Kaushal Sinha
10. Arunima Sinha
11. Philip Simoneaux

12. Maurice Kraut
13. Robert Woodwyk
14. Derrick White
15. Douglas Goodwin
16. Monica Deshotels
17. Prem Sonekar
18. Bernard Carson
19. Timothy Sparrow
20. Joie Jackson
21. Misty Clare
22. Stewart Clare
23. Sydnee Wilson
24. Heidi Michelle Bland
25. Tawana Larry
26. Duty Dorsey
27. Tarak Walter
28. Priscilla Rish
29. Shilpa Ben Patel
30. Ramanlal Patel
31. Richard Rannalli
32. Lilaben Patel
33. Koyemshi Williams
34. Keesha Ruffin
35. Bernard Carson
36. Brandi Farris
37. Steve Piano
38. Steve Forseburg
39. Stan Sanders
40. Matthew Hick
41. Denise Arnold
42. Jim Alderman
43. Pelvi Chavda
44. Tesh Patel
45. Dilip Petigara
46. AJ Shaw
47. Robert John Hackler
48. Adam Wesley Bacon
49. Brad Keller
50. Danny Templar
51. Tim Jones
52. Kevin Cornett

Defendant reserves the right to designate additional witnesses whose necessity could not have been reasonably foreseen or anticipated prior to the presentation of Plaintiffs' case and which Defendants should be allowed to call as rebuttal witnesses or for impeachment

purposes. Defendant further reserves the right to call any witnesses properly identified and listed by Plaintiffs.

**2. The designation of those witnesses whose testimony is expected to be presented by means of a deposition.**

1. Maurice Kraut
2. Prem Sonekar
3. Priscilla Rish
4. Stewart Clare
5. Prem Sonekar
6. Kislaya Sinha (Deposition and Examination Under Oath)
7. Greg Crapanzano
8. Stephen Sollecito
9. Peter Hildebrand
10. Richard Mastrocinque
11. Philip Simoneaux
12. Brad Keller
13. Van Tuley
14. AJ Shaw
15. Bryan McGowan
16. Stan Townsend
17. John Schneider
18. Steve Piano
19. Coleman Lechner

**3. An appropriate identification of each document or other exhibit, separately identifying those which the party expects to offer and those which the party may offer if the need arises.**

**Documents are designated by Bates label where possible.**

**Expects to Offer**

1. July 16, 2103 Report of Callan Salvage & Appraisal Co., Inc. (CSA 00030-88)
2. Affidavit of John Rama
3. Sonitrol Customer Activity Report (Sonitrol 0010-0014)
4. Affidavit of Records Custodian for Lexington County Fire Services (PL Lex Fire Serv 000005)
5. Lexington County Fire Report (PL Lex Fire Serv 000001-00003)
6. Affidavit of Records Custodian for Palmetto Design Associates, Inc.
7. Palmetto Design Associates' Preliminary Cost Estimate (PDA 0732-0737)
8. 06/27/2013 Cunningham Lindsey First Report with enclosures (CL 00111-00265)
9. 08/14/2013 Cunningham Lindsey Second Report with enclosures (CL 00267-00347)
10. JS Held RCV Estimate (JS Held Production)
11. 06/20/2013 Palmetto Design Cost Estimate (JS Held Production)
12. 07/18/2013 Rimkus Report with attachments (RIMKUS 0060-0079)

13. Seneca Commercial Property Insurance Policy No SSP 1503130 (Seneca 00001-00131)
14. 06/17/2013 Notice of Loss – E-mail from Kislaya Sinha to AJ Shaw and forwarding e-mails (Seneca 00132-136)
15. 08/14/2013 Sworn Statement in Proof of Loss (Seneca 00327-00328)
16. 09/23/2013 Business Income Claim (Seneca 00503-00504)
17. Affidavit of Wyndham Records Custodian.
18. Super 8 WorldWide, Inc. Franchise Agreement (Seneca 2538- 2607)
19. 07/27/2015 letter report from John Schneider to Eric Mull
20. Expert Report of David J. Icove, Ph.D. (Seneca 3340-3351)
21. 07/23/2014 Report of Peter Hildebrand with Exhibits (Seneca 3392-3396; 3456-3468; 3489-3500)
22. 09/22/2014 Supplemental Report of Peter Hildebrand
23. CGM Accounting Associates, Report dated 12/20/2013 (Seneca 3765-3774)
24. Appraisal Award (Seneca 4729)

### **May Offer**

1. Affidavit of Records Custodian for Callan Salvage & Appraisal Co., Inc.
2. Callan Salvage & Appraisal Co., Inc. Activity Sheet (CSA 00094)
3. Callan Salvage & Appraisal Co., Inc. Confirmation of Assignment (CSA 00096)
4. 06/24/2013 e-mail chain starting with e-mail between Kislaya Sinha and Bryant McGowan (CSA 102-103)
5. 06/24/2013 e-mail between Gene Pool and Bryant McGowan and forwarding e-mails (CSA 00104-105)
6. Affidavit of Records Custodian for Sonitrol Security
7. Affidavit of Records Custodian for JAG Insurance (PL JAG Ins 000008)
8. 08/07/2013 e-mail from Kislaya Sinha to AJ Shah (PL JAG Ins 00006-000007)
9. Affidavit of Records Custodian for T-Mobile
10. T-Mobile records for Account Number 821048299
11. Palmetto Design Invoice totals with attached invoice payment details (PDA 01-013)
12. PDA Invoice 3546 (PDA 014)
13. PDA Invoice 3550 with attached Graybar Invoices (PDA 024-040)
14. PDA Invoice 3620 (PDA 041)
15. PDA Invoice 3569 with attached Casanova Flooring Invoice (PDA 042-043)
16. PDA Invoice 3624 (PDA 045)
17. PDA Invoice 3626 with attached Graybar Invoices (PDA 046-068)
18. PDA Invoice 3547 (PDA 069)
19. PDA Invoice 3555 (PDA 073)
20. PDA Invoice 3559 with attached Lowest Receipts (PDA 087-0115)
21. PDA Invoice 3566 with attached Taylor Made Invoice (PDA 0116-0117)
22. PDA Invoice 3567 with attached Gateway Invoices (PDA 0118-0139)
23. PDA Invoice 3570 with attached Sherwin Williams Invoices (PDA 0140-0153)
24. PDA Invoice 3572 with attached Gateway Invoices (PDA 0154-0160)
25. PDA Invoice 3575 with attached Dal-Tile and Palmetto Tile Invoices (PDA 0161-0167)
26. PDA Invoice 3573 with attached Ferguson Invoices (PDA 0168-0171)

27. PDA Invoice 3573 with attached Ferguson Invoices (PDA 0172-0180)
28. PDA Invoice 3576 with attached The Building Center, Inc. Invoices (PDA 0181-0186)
29. PDA Invoice 3577 with attached CK Supply Invoices (PDA 0187-0193)
30. PDA Invoice 3578 with attached Matthews Mechanical Invoices (PDA 0199-203)
31. PDA Invoice 3581 with attached TS Distributors and Guardian Fence Invoices (PDA 0204-0212)
32. PDA Invoice 3583 with attached Evans Steele Service, Inc. Invoices (PDA 0213-0217)
33. PDA Invoice 3585 with attached New South Construction Supply Invoice (PDA 0218-0219)
34. PDA Invoice 3586 with attached Casanova Flooring Invoice (PDA 0220-0222)
35. PDA Invoice 3587 with attached Carolina Materials Invoices (PDA 0223-0233)
36. PDA Invoice 3588 (PDA 0234)
37. PDA Invoice 3589 with attached Sunbelt Rentals Invoice (PDA 0236-0238)
38. PDA Invoice 3591 with attached Stucco Unlimited Invoice (PDA 0239-0241)
39. PDA Invoice 3594 (PDA 0242)
40. PDA Invoice 3597 with attached invoices (PDA 0255-0256)
41. PDA Invoice 3622 (PDA 0257)
42. PDA Invoice 3627 with attached Graybar Invoice (PDA 0258-0277)
43. PDA Invoice 3598 with attached Fisher Iron Works Invoice (PDA 0278-0279)
44. PDA Invoice 3599 with attached Daltile Invoices (PDA 0281-0285)
45. PDA Invoice 3600 with attached Gateway Invoices (PDA 0286-0299)
46. PDA Invoice 3601 with attached Matthews Mechanical Invoice (PDA 0301-0303)
47. PDA Invoice 3604 with attached Sapphire Signature Pools Invoices (PDA 0309-0313)
48. PDA Invoice 3595 (PDA 0315)
49. PDA Invoice 3596 (PDA 0336)
50. PDA Invoice 3602 with attached Lowes Receipts (PDA 0358-0372)
51. PDA Invoice 3603 with attached Carolina Materials Invoices (PDA 0373-0376)
52. PDA Invoice 3605 with attached Batteries Plus Invoice (PDA 0377-0378)
53. PDA Invoice 3606 with attached Brian Bass Invoice (PDA 0379-0380)
54. PDA Invoice 3607 with attached Building Center Invoice (PDA 0382-0383)
55. PDA Invoice 3608 with attached AARO Rental Centers Invoices (PDA 0384-0386)
56. PDA Invoice 3609 with attached Interstate Battery Center Invoice (PDA 0387-0388)
57. PDA Invoice 3610 with attached Bethel House Invoice (PDA 0389-0390)
58. PDA Invoice 3623 (PDA 0392)
59. PDA Invoice 3628 with attached Graybar Invoices (PDA 0393-0407)
60. PDA Invoice 3629 with attached Home Depot Receipts (PDA 0408-0412)
61. PDA Invoice 3630 with attached Capital Supply Invoices (PDA 0413-0416)
62. PDA Invoice 3632 (PDA 0417)
63. PDA Invoice 3612 with attached Sheppard's Glass Invoice (PDA 0419-0420)
64. PDA Invoice 3517 (PDA 0421)
65. PDA Invoice 3624 (PDA 0422)
66. PDA Invoice 3615 with attached Dunlap Invoice (PDA 0423; 0425)
67. PDA Invoice 3637 with attached Carolina Materials Invoices (PDA 0426-0430)
68. PDA Invoice 3638 with attached Gateway Supply Invoices (PDA 0431-0442)
69. PDA Invoice 3640 with attached Lowes Receipts (PDA 0443-0449)
70. PDA Invoice 3641 (PDA 0450)

71. PDA Invoice 3644 with attached Casanova Flooring Invoice (PDA 0453-0454)
72. PDA Invoice 3645 with attached AAA Accurate Invoice (PDA 0455-0456)
73. PDA Invoice 3652 (PDA 0458)
74. PDA Invoice 3653 with attached Gateway Supply Invoices (PDA 0460-0465)
75. PDA Invoice 3654 with attached Sherwin Williams Invoice (PDA 0466-0467)
76. PDA Invoice 3655 with attached Dunlap Services Invoice (PDA 0468-0469)
77. PDA Invoice 3656 with attached Gatway Invoice (PDA 0470-0471)
78. PDA Invoice 2806 with attached Fisher Iron Works Invoice (PDA 0472-0473)
79. PDA Invoice 2807 with attached Real Value Invoice (PDA 0474-0475)
80. PDA Invoice 2451 (PDA 0478)
81. PDA Invoice 2461 (PDA 0487)
82. PDA Invoice 2466 (PDA 0504)
83. Palmetto Design Associates Preliminary Cost Estimate (PDA 0505-0510)
84. PDA Invoice 2473 with attached Lowes Invoices (PDA 0523; 1326-1332)
85. PDA Invoice 2474 PDA 0524)
86. PDA Invoice 2475 (PDA 0525)
87. PDA Invoice 2476 (PDA 0526)
88. PDA Invoice 2477 (PDA 0535)
89. PDA Invoice 2478 (PDA 0536)
90. PDA Invoice 2479 (PDA 0537)
91. PDA Invoice 39 (PDA 0539)
92. PDA Invoice 2485 with attached Building Center Invoices (PDA 0541; 1660-1663)
93. PDA Invoice 2486 with attached Gateway Invoices (PDA 0542; 1591-1603)
94. PDA Invoice 2487 with attached CK Supply Invoices (PDA 0543; 1656-1658)
95. PDA Invoice 2488 with attached Invoices (PDA 0544; 1579-1580; 1651)
96. PDA Invoice 2489 with attached Sherwin Williams Invoices (PDA 0545; 1645; 1647-1649)
97. PDA Invoice 2490 with attached Lowes receipts (PDA 0546; 1569-1570)
98. PDA Invoice 2491 with attached Invoice (PDA 0547; 1609; 1612; 1618; 1621; 1623; 1626; 1628; 1632; 1635)
99. PDA Invoice 2519 (PDA 0555)
100. PDA Invoice 2492 with attached invoices (PDA 0558; 1640)
101. PDA Invoice 2493 (PDA 0559)
102. PDA Invoice 2494 with attached Fastenal Invoice (PDA 0560; 1681)
103. PDA Invoice 2499 (PDA 0561)
104. PDA Invoice 2502 (PDA 0564)
105. PDA Invoice 2503 (PDA 0565)
106. PDA Invoice 2504 (PDA 0566)
107. PDA Invoice 2505 (PDA 0567)
108. PDA Invoice 2506 (PDA 0568)
109. PDA Invoice 2507 (PDA 0569)
110. PDA Invoice 2510 (PDA 0570)
111. PDA Invoice 2513 (PDA 0571)
112. PDA Invoice 2516 (PDA 0572)
113. PDA Invoice 2517 (PDA 0573)
114. PDA Invoice 2518 (PDA 0574)

115. PDA Invoice 2519 (PDA 0575)
116. PDA Invoice 2520 (PDA 2576)
117. PDA Invoice 2521 (PDA 2577)
118. PDA Invoice 2522 (PDA 2578)
119. PDA Invoice 2523 (PDA 0579)
120. PDA Invoice 2524 (PDA 0580)
121. PDA Invoice 2527 (PDA 0583)
122. PDA Invoice 2528 (PDA 0586)
123. PDA Invoice 2529 (PDA 0587)
124. PDA Invoice 2530 (PDA 0588)
125. PDA Invoice 2531 (PDA 0589)
126. PDA Invoice 2532 (PDA 0590)
127. PDA Invoice 2533 (PDA 0592)
128. PDA Invoice 2535 (PDA 0595)
129. PDA Invoice 50 (PDA 0596)
130. PDA Invoice 51 (PDA 0597)
131. PDA Invoice 53 (PDA 0598)
132. PDA Invoice 54 (PDA 0599)
133. PDA Invoice 55 (PDA 0600)
134. PDA Invoice 3451 (PDA 0601)
135. Super 8 Worldwide, Inc. Property Improvement Plan (PDA 0602-0607)
136. Stucco Unlimited, Inc. 06/7/2013 Estimate (PDA 0613)
137. AMJ Roofing, LLC Quote (PDA 0614-619)
138. Demis Proposal IPDA (0622)
139. Dunlap Estimate No 220 (PDA 0626-0627)
140. RCI Inspection Comments Form (PDA 0686-689)
141. RCI Inspection Comments Form (PDA 0692)
142. JS Held Preliminary RCV Estimate (PDA 0777-1036)
143. 11/06/2013 e-mail from Sydnee Wilson to Tim Jones (PDA 1044)
144. TACC, Inc. Invoice (PDA 1110)
145. Commercial Flooring Concepts, LLC Invoice (PDA 1111)
146. 10/07/2015 e-mail from Kislaya Sinha to Tim Jones (PDA 1155)
147. PTAC, Inc. Invoice (PDA 1175)
148. PDA Invoice 2480 (PDA 1189)
149. Morris Young's Perfect Drywall & Home Repair Invoice (PDA 1301)
150. Disbursement Spreadsheet (PDA 1551-1554)
151. Disbursement Spreadsheet (PDA 1730-1735)
152. 08/11/2014 e-mail from Kislaya Sinha to Tim Jones (PDA 1966)
153. 08/11/2014 e-mail from Kislaya Sinha to Joe Boyes (PDA 1967)
154. 08/18/2014 e-mail from Kislaya Sinha to Tim Jones with forwarding e-mails  
(PDA 2035-2040)
155. 08/19/2014 e-mail from Kislaya Sinha to Kislaya Sinha with forwarding photos  
(PDA 2030-2033)
156. Affidavit of Records Custodian for Pucci Enterprises, LLC d/b/a Stanley Steemer
157. 06/24/2013 Stanley Seemer Invoices (Stanley Steemer 000010-000013)



158. Stanley Steemer Water Mitigation/Restoration Invoice (Stanley Steemer 000014-000015)
159. Stanley Steemer 07/16/2013 Invoices (Stanley Steemer 000016-0000017)
160. Stanley Steemer Water Mitigation/Restoration Invoice (Stanley Steemer 000018-000022)
161. Stanley Steemer Handwritten Notes (Stanley Steemer 000024-000037)
162. Map of Hotel Rooms (Stanley Steemer 000038; 000046; 000047)
163. Photographs taken by Stanley Steemer (Stanley Steemer 00048-000071)
164. Affidavit of Records Custodian of Cunningham Lindsey
165. Cunningham Lindsey Statement of Loss (CL 00022)
166. Cunningham Lindsey file notes (CL 00031-00032)
167. 10/22/2013 Cunningham Lindsey Third Report with enclosures (CL 00349-00515)
168. 06/19/2013 e-mail from Bryant McGowan to Stan Townsend with forwarding e-mails (CL 00669-00670)
169. 06/27/2013 e-mail from Bryant McGowan to Stan Townsend and Stephen Sollecito with forwarding e-mails (CL 00700-00703)
170. 07/25/2013 e-mail from Philip Simoneaux to Richard Mastrocinque with forwarding e-mails (CL 00737-00738)
171. Affidavit of Records Custodian for JS Held.
172. 08/30/2013 JS Held Final Report (JS Held Production)
173. 06/14/2013 e-mail from Bryant McGowan to Van Tuley, Gene Poole, John Schneider, and Anthony Ciccodicola (JS Held Production)
174. 10/22/2013 e-mail from Stephen Sollecito to Stan Townsend and John Schneider with forwarding e-mails (JS Held Production)
175. 06/19/2013 e-mail from Randy Ison to John Schneider with forwarding e-mails (JS Held Production)
176. 10/22/2013 e-mail from Stephen Sollecito to Stan Townsend with forwarding e-mails (JS Held Production)
177. 06/20/2013 e-mail from Kislaya Sinha to John Schneider with forwarding e-mails (JS Held Production)
178. 10/21/2013 e-mail from Stan Townsend to John Schneider with forwarding e-mails (JS Held Production)
179. 08/30/2013 e-mail from Megan Rudisill to John Schneider with attached Spreadsheet of JS Held time entries (JS Held Production)
180. JS Held Hotel diagram with highlighting (JS Held Production)
181. Photos taken by JS Held (JS Held Production)
182. Affidavit of Records Custodian from Rimkus
183. 07/19/2013 e-mail chain starting with e-mail from Stan Townsend to Kelly Kennedy (RIMKUS 0007-08)
184. Cunningham Lindsey Report (RIMKUS 0014-059)
185. Rimkus Call Log (RIMKUS 0080)
186. Rimkus Invoice (RIMKUS 0082-0084)
187. Photos taken by Rimkus (RIMKUS 0085- 390)
188. Affidavit of Records Custodian for South Carolina Law Enforcement Division
189. Case Status Report (SLED 000002)



190. Case Statue Report (SLED 000004)
191. 12/05/2013 Investigate Report with attachments 1- 34 (SLED 000006-000964)
192. Cambridge Plaza Video Surveillance dated 06/14/2013 (PL\_SLED\_00965)
193. Photographs from SLED file (PL\_SLED 5414\_DSC\_7486 – PL\_SLED\_005564\_DSC\_7636; PL\_SLED\_005582-DSC\_0001 – PL\_SLED\_005747\_0165).
194. 10/23/2015 Affidavit of Keesha Ruffin
195. 10/15/2015 Affidavit of Johnny Hoy
196. 09/04/2015 Affidavit of Monica Deshotels
197. 06/26/2013 Letter from Seneca to Vagish, LLC (Seneca 00137)
198. 07/16/2013 letter from Seneca to Vagish, LLC (Seneca 00237-00238)
199. 07/29/2013 letter from Richard Harpootlian to Cunningham Lindsey (Seneca 00239)
200. 08/01/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 00240)
201. 08/01/2013 letter from Steve Ouzts to Richard Harpootlian (Seneca 00241-00244)
202. 08/15/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 00326)
203. 09/12/2013 letter from Steve Ouzts to Richard Harpootlian (Seneca 00495-00498)
204. 09/13/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 004999-00500)
205. 09/18/2013 letter from Steve Ouzts to Richard Harpootlian (Seneca 00501-00502)
206. 09/26/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 00505-00508)
207. Plaintiffs' Bank Statements – Congaree Bank (Seneca 00509-00543)
208. Plaintiffs' Bank Statements – First Community Bank (Seneca 00544-00651)
209. Vagish, LLC Balance Sheet (Seneca 00658-00659)
210. Cambridge Plaza Hotel Operating Summary (Seneca 00652)
211. Cambridge Plaza Hotel Balance Sheet (Seneca 0653-0654)
212. Cambridge Plaza Profit & Loss (Seneca 00655-00656)
213. Cambridge Plaza Hotel Statement of Cash Flows (Seneca 00657)
214. Vagish, LLC Notice of Change of Designated Office and Agent for Service of Process (Seneca 00663)
215. Vagish, LLC Articles of Organization (Seneca 00664-00665)
216. Vagish, LLC Amended and Restated Operating Agreement (Seneca 666-696)
217. 05/28/2013 letter from Access Point Financial to Kislaya Sinha (Seneca 00701-703)
218. Kaushal and Arunima Sinha 2011 Income Tax Return (Seneca 00704-00756)
219. Kaushal and Arunima Sinha 2010 Income Tax Return (Seneca 757-788)
220. Microtel inn and Suites Profit and Loss January – December 2012 (Seneca 00789-00791)
221. Super 8 Property Soures and Uses (Seneca 00792)
222. Va Va Vagish d/b/a Legends Lounge Profit & Loss Statement (Seneca 00796-00797)
223. Va Va Vagish d/b/a Legends Lounge Balance Sheet (Seneca 00798-00799)
224. Articles of Organization (Seneca 00802-00811)
225. Microtel Inn and Suites Profit & Loss Statement (Seneca 00827)
226. Microtel Inn and Suites Profit & Loss Statement (Seneca 00828)
227. Microtel Inn and Suits Balance Sheet (Seneca 00829)

228. Microtel Inn and Suits Balance Sheet (Seneca 00830)
229. Microtel Inn and Suites Balance Sheet (Seneca 00831-00832)
230. Statement of Financial Condition for Kislaya Sinha (Seneca 00836)
231. Personal Financial Statement for Kaushal and Arunima Sinha (Seneca 00837-00845)
232. Secured Promissory Note (Seneca 00899-00900)
233. Mortgage (Seneca 00901-00907)
234. Accesspoint Credit Application for Hospitality Equipment Financing (Seneca 00908-00922)
235. Wire Transfer Order (Seneca 00923)
236. Spreadsheet of Inventory (Seneca 00924-00927)
237. Affidavit of Lynn Eaton (custodian of records for PCA Solutions)
238. Envision PCA Solutions Report (Seneca 00934-00990)
239. Operating Agreement of Va Va Vagish, LLC (Seneca 00991-00999)
240. Super 8 Presentation (Seneca 01002-01047)
241. Purchase Closing Statement (Seneca 01050-01057)
242. Real Estate Purchase Contract (Seneca 1058-1062)
243. Lease Agreement (Seneca 1178-1188)
244. Buyer's Statement(Seneca 01190-01197)
245. 10/10/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 01238-01239)
246. 10/16/2013 letter from Steve Ouzts to Richard Harpootlian (Seneca 01240)
247. Examination Under Oath of Kislaya Sinha and Exhibits thereto(Seneca 01408-01710)
248. 11/12/2013 letter from Richard Harpootlian to Steve Ouzts (Seneca 01711-01716)
249. 2012 Vagish Federal Income Tax Return (Seneca 01717-01766)
250. 06/19/2013 e-mail from Kislaya Sinha to Matt Hick with forwarding e-mails (Seneca 01878-01885)
251. 06/27/2013 Access Point Closing Letter (Seneca 01806-01807)
252. Promissory Note (Seneca 01817- 01822)
253. Cambridge Plaza Hotel Payroll Summary (Seneca 00150-00170)
254. Cambridge Plaza Hotel Pay records for remediation work and first draw (Seneca 01910-01921)
255. Three Party Agreement between Super 8 Worldwide, Inc., Access Point Financial, and Vagish, LLC (Seneca 01926-01929)
256. Proof of Loss Calculations (Seneca 01930)
257. Employees Earnings Summary (Seneca 01922-01925)
258. 07/16/2013 letter from Steve Ouzts to Brad Keller (Seneca 01963-01965)
259. 07/24/2013 e-mail from Richard Mastrocinque to Kislaya Sinha (Seneca 01968-01969)
260. 07/24/2013 e-mail from Philip Simoneaux to Richard Mastrocinque (Seneca 01970)
261. 09/12/2013 e-mail from Richard Mastrocinque to Stephen Sollecito with forwarding e-mails (Seneca 01975-01978)
262. 10/22/2013 e-mail from Stephen Sollecito to Stan Townsend and John Schneider with forwarding e-mails (Seneca 01985-01987)

263. 10/22/2013 e-mail from Stephen Sollecito to Stan Townsend and John Schneider with forwarding e-mails (Seneca 01983-01984)
264. 10/22/2013 e-mail from Stan Townsend to Stephen Sollecito with forwarding e-mails (Seneca 01980-01982-)
265. 10/27/2013 e-mail from Stan Townsend to Stephen Sollecito and John Schneider with forwarding e-mails (Seneca 01988-01990)
266. 11/14/2013 e-mail from Richard Mastrocinque to Phil Simoneaux with forwarding e-mails (Seneca 01994-01995)
267. 11/25/2013 e-mail from Phil Simoneaux to Richard Mastrocinque with forwarding e-mails and attachments (Seneca 02002-02062)
268. 11/27/2013 e-mail from Richard Mastrocinque to Phil Simoneaux with forwarding e-mails (Seneca 02074-02078)
269. 12/20/2013 letter from Steve Ouzts to Brad Keller (Seneca 02079-02080)
270. Photos taken by Priscilla Rish (Seneca 2421-2425)
271. Cambridge and Microtel Employee Schedules (Seneca 2428)
272. Lexington County Communications Center Event Report (Seneca 2500-2513)
273. City of West Columbia Fire Report and dispatch logs (Seneca 2514- 2533)
274. 06/26/2013 letter from Stephen Sollecito to Vagish LLC d/b/a Cambridge Plaza Hotel & Va Va Vagish LLC (Seneca 3069)
275. 06/26/2013 letter from Mark Keel to Cunningham Lindsay Ins./Seneca Ins. Company (Seneca 3112)
276. Expert Report of Lawrence (“Larry”) Daniel
277. Curriculum Vitae for Lawrence Daniel
278. Professional Curriculum Vitae of John Robison
279. Curriculum Vitae for John Schneider (Seneca 3338-3339)
280. Curriculum Vitae for Richard Mastrocinque (Seneca 3355-3357)
281. Expert Qualifications and Publications for David J. Icové
282. Curriculum Vitae of Gene Poole
283. Curriculum Vitae of Peter Hildebrand (Seneca 3392-3395)
284. Hildebrand Four Year Federal Disclosure of Prior Testimony (Seneca 3456-3463)
285. Seneca Case Notes Report (Seneca 1933-2114; 3518-3624)
286. 07/26/2013 e-mail from Stephen Sollecito to Stan Townsend with forwarding e-mails (Seneca 3652-3653)
287. 08/01/2013 e-mail from Steve Ouzts to Stephen Sollecito with forwarding e-mails (Seneca 3659-3660)
288. 09/17/2013 e-mail from Stan Townsend to Steven Ouzts with forwarding e-mails (Seneca 3678-3679)
289. 07/12/2013 memo from John Rendina to Addresses with attached Large Loss Summary Report (Seneca 3776-3778)
290. Seneca Claim Summary Report (3777-3778)
291. Notice of Claim (Seneca 3783)
292. Notice of Non-Renewal (Seneca 3784-3785)
293. Commercial Building Valuation Report (Seneca 3836-37)
294. Seneca Claim Reserve Review (Seneca 3857)
295. Seneca Claim Reserve Review (Seneca 3858)
296. Seneca Claim Procedures (Seneca 3885-3900)

- 297. H&S Loss Control Inspections, Inc. Report (Seneca 4341-4442)
- 298. Affidavit of John Robison
- 299. 11/05/2012 Memo from Chief Cornett to Town Council regarding Cambridge Plaza Statistical Information with attached crime statistics (Exhibit 5 to Sinha Deposition)
- 300. 10/04/2012 Springdale Town Council Meeting Minutes (Exhibit 5 to Sinha Deposition)
- 301. 11/12/2012 Springdale Town Council Meeting Minutes (Exhibit 5 to Sinha Deposition)
- 302. 12/04/2012 Springdale Town Council Meeting Minutes (Exhibit 5 to Sinha Deposition)
- 303. Affidavit of Records Custodian for CGM Accounting Associates, Inc.
- 304. Vagish 2012 State Sales, Use, and Accommodations Tax Return (CGM Production)
- 305. Vagish 2013 State Sales, Use, and Accommodations Tax Return (CGM Production)
- 306. Vagish 2012 Tourism Development Fee Remittance Form (CGM Production)
- 307. Vagish 2013 Tourism Development Fee Remittance Form (CGM Production)
- 308. Vagish Monthly Status Report April – December 2012 (CGM Production)
- 309. Vagish Monthly Status Report January – June 2013 (CGM Production)
- 310. Cambridge Plaza General Ledger January 2012 – May 2013 (CGM Production)
- 311. Cambridge Plaza General Ledger June 1, 2103-October 31, 2013 (CGM Production)
- 312. Vagish, LLC Cambridge Plaza Hotel Claim Analysis Schedules 1, 3, 4 (CGM Production)
- 313. 06/26/2013 e-mail from Kislaya Sinha to Anthony Ciccodicola with forwarding e-mails (CGM Production)
- 314. 08/13/2013 e-mail from Richard Mastrocinque to Philip Simoneaux with forwarding e-mails (CGM Production)
- 315. 09/04/2013 e-mail from Richard Mastrocinque to Philip Simoneaux with forwarding e-mails (CGM Production)
- 316. Vagish, LLC Cambridge Plaza Hotel Claim Analysis Schedule A (CGM Production)
- 317. Vagish, LLC Cambridge Plaza Hotel Claim Analysis Schedule B (CGM Production)
- 318. 09/20/2013 e-mail from Stan Townsend to Richard Mastrocinque with forwarding e-mails (CGM Production)
- 319. 06/18/2013 e-mail from Van Tuley to Kislaya Sinha with forwarding e-mails (PL 000002-000005)
- 320. 06/20/2013 e-mail from John Schneider to Kislaya Sinha with forwarding e-mails (PL 000006-000007)
- 321. 06/18/2013 e-mail from Bryant McGowan to Kislaya Sinha with forwarding e-mails (PL 000009-000021)
- 322. 06/24/2013 e-mail from Kislaya Sinha to Bryant McGowan with forwarding e-mails (PL 000022-000023)

323. 06/24/2013 e-mail from Bryant McGowan to Kislaya Sinha with forwarding e-mails (PL 000024-000025)
324. 06/24/2013 e-mail from Anthony Ciccodicola to Bryan McGowan with forwarding e-mails (PL 000026-000028)
325. Cambridge Fire Camera Log (PL 000029)
326. 06/26/2013 e-mail from Anthony Ciccodicola to Kislaya Sinha with forwarding e-mails (PL 000041-000054)
327. 06/09/2013 e-mail from Derrick White to Kislaya Sinha (PL 000063)
328. 06/15/2013 e-mail from Kislaya Sinha to AJ Shah (PL 000064-000065)
329. 07/26/2013 e-mail from Philip Simoneaux to Kislaya Sinha with attached business income claim (PL 000074-77)
330. August 12, 2103 e-mail from Kislaya Sinha to Tim Jones with attachment (PL 000078-000080)
331. 08/12/2013 e-mail from AJ Shah to Kislaya Sinha with attachment (PL 000081-000082)
332. 08/07/2013 e-mail from Kislaya Sinha to AJ Shaw (PL 000083-000084)
333. 08/12/2013 e-mail from Kislaya Sinha to AJ Shaw with forwarding e-mails (PL 000086-000087)
334. 09/06/2013 e-mail from Phil Simoneaux to Sydnee Wilson (PL 000093)
335. 09/03/2013 e-mail from Sydnee Wilson to Kislaya Sinha with attached business income claim (PL 000094-000095)
336. 09/16/2013 e-mail from Philip Simoneaux to Kislaya Sinha with attached business income claim (PL 000096-000097)
337. 09/18/2013 e-mail from Philip Simoneaux to Kislaya Sinha with attached business income claim (PL 000100-103)
338. 05/19/2014 e-mail from Kislaya Sinha to Tim Jones (PL 000104-000105).
339. 10/07/2013 e-mail from Kislaya Sinha to Steve Forsberg (PL 00241)
340. 04/24/2013 e0mail from Kislaya Sinha to Terry Farris with attached investor update letter (PL 000327-000332)
341. 06/08/2013 memo re Meeting with Rakesh Uncle and Sita Auntie (PL 000333-000337)
342. 06/10/213 e-mail from Kislaya Sinha to Rakesh Goel (PL 000338-000340)
343. Advertisement for Real Estate Development Associate (PL 000359)
344. 05/24/2013 Memo to Staff (PL 000360)
345. 06/05/2013 e-mail from Kislaya Sinha to Sydnee Wilson and Derrick White (PL 000361-000363)
346. 08/15/2013 e-mail from Kislaya Sinha to Derrick White with forwarding e-mail (PL 000364)
347. 06/17/2013 e-mail from Kislaya Sinha to Sydnee Wilson (PL 000365)
348. Super 8 Columbia, SC Presentation to Dilip Petigara March 20, 2014 (PL 000755-000790)
349. Text messages between AJ Shah and Kislaya Sinha (PL 000917-000927)
350. Contract between Kislaya Sinha, Vagish, LLC, Va Vagish, LLC d/b/a Super 8 and Palmetto Design Associates, Inc. (PL 000965-000973)
351. Text messages between Tim Jones and Kislaya Sinha (PL 001078-86)
352. 05/10/2013 letter from Access Point to Kislaya Sinha (PL 001245-001247)

- 353. 07/22/2013 e-mail from Kislaya Sinha to Matthew Hick (PL 1509)
- 354. 06/19/2013 e-mail from Matthew Hick to Kislaya Sinha (PL 001701-001702)
- 355. Super 8 Restaurant – The Daily Phoenix (PL 002038-002045)
- 356. 05/28/2013 letter from Access Point Financial to Kislaya Sinha (PL 002054-002056)
- 357. 07/05/2013 letter from Kislaya Sinha to Thom It May Concern with attached employee corrective action (PL 002076-002080)
- 358. 07/03/2013 e-mail from Joie Jackson to Kislaya Sinha (PL 002081-002082)
- 359. Session Recap (PL 002088-002089)
- 360. 06/14/2013 letter from Kislaya Sinha to Thom It May Concern (PL 002093-002095)
- 361. Shareholder Deposits (PL 003384-003417)
- 362. Super 8 Capital Budget (PL 003543-003544)
- 363. List of Hotel Guests (PL 003749-003754)
- 364. Daily Front Desk Log (PL 004349-004479; 004482-004516)
- 365. Housekeeping Logs (PL 004518-004775)
- 366. Maintenance Logs (PL 004776-004800)
- 367. Blocked Room List Log Book (PL 004801-004803)
- 368. Permit Report by Permit Number (PL 004805-004806)
- 369. Incident Report Log (PL 005092-005102)
- 370. Daily Front Desk Log (PL 005105-PL 005205)
- 371. Expert Report of Maurice Kraut
- 372. Professional Resume of Maurice Kraut
- 373. Testimony Log of Maurice Kraut
- 374. Any pleading in this case

Defendant reserves the right to use demonstrative exhibits, impeachment exhibits, or rebuttal exhibits.

This 22nd day of February, 2016.

Respectfully submitted,

DREW ECKL & FARNHAM, LLP

/s/Russell Thompson

Russell Thompson

Fed Id No. 11870

Paul W. Burke

Admitted *Pro Hac Vice* (GA Bar No 095642)

Eric R. Mull

Admitted *Pro Hac Vice* (GA Bar No 556860)

880 W. Peachtree Street  
Atlanta, GA 30309

(404) 885-1400

(404) 876-0992 (fax)



UNITED STATES DISTRICT COURT  
District of South Carolina  
Columbia Division

Vagish, LLC, doing business as Cambridge  
Plaza Hotel, and Va Va Vagish, LLC, doing  
business as Legends Lounge,

Plaintiffs,

vs.

Seneca Specialty Insurance Company,

Defendant.

C/A No.: 3:13-3161-TLW

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served all counsel with the foregoing **DEFENDANT SENECA SPECIALITY INSURANCE COMPANY'S AMENDED RULE 26(a)(3) PRETRIAL DISCLOSURES** all counsel of record by using the CM/ECF system, which will automatically send e-mail notification, and by mailing copies to the following attorneys of record:

Richard A. Harpootlian  
Christopher P. Kenney  
Richard A. Harpootlian, P.A.  
1410 Laurel Street  
Post Office Box 1090  
Columbia, South Carolina 29202  
[rah@harpootlianlaw.com](mailto:rah@harpootlianlaw.com)  
[cpk@harpootlianlaw.com](mailto:cpk@harpootlianlaw.com)

Leigh J. Leventis  
The Law Offices of Leigh J. Leventis  
1913 Bull Street  
P.O. Box 11067  
Columbia, South Carolina 29211  
[leighleventis@aol.com](mailto:leighleventis@aol.com)

This 22nd day of February, 2016.

/s/Russell Thompson  
Russell Thompson  
Fed Id No. 11870

880 W. Peachtree Street  
Atlanta, GA 30309  
(404) 885-1400  
(404) 876-0992 (fax)

6282128/1  
05596-088833